

**U.S. Department of the Interior
Bureau of Land Management**

Finding of No Significant Impact

November 2015

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
Worland Field Office



Finding of No Significant Impact

Washakie County-Hazelton Road Mineral Materials testing and development & Access Road
Right-of-way

DOI-BLM-WY-R010-2015-0012-EA

Free Use Permit – WYW165335

ROW -WYW-165341 and WYW-165341-01

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis DOI-BLM-WY-R010-2015-0040-EA for a proposed action to address Washakie Counties request for a free use permit in the Worland Resource Area in Washakie County. The project would allow Washakie County to conduct open pit gravel mining operations in the Hazelton Road area, in accordance with the Mineral Materials Disposal Regulations 43 CFR 3600. The underlying need for the proposal would be met while accomplishing the following objectives as set forth in the Worland Resource Management Plan

The project area covers a total area of disturbance of approximately 12.5 acres over a period of 10 years within an area of gravel terraces adjacent to the Hazelton Road. EA# DOI-BLM-WY-R010-2015-0040-EA is attached for this Finding of No Significant Impact (FONSI). A no action alternative and proposed action alternative were analyzed in the EA.

GOAL MR:1

Provide opportunities for mineral extraction and energy exploration and development to meet national and local needs, while avoiding or mitigating impacts on other resources.

Objectives:

MR:1.1 Provide opportunities to explore for, sell and/or permit, and develop leasable, salable, and locatable mineral resources.

MR:1.2 Encourage sound, balanced exploration and development of mineral resources in the planning area.

FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in the Worland ARMP/Bighorn Basin FEIS. Therefore, an environmental impact statement is not needed.

This finding is based on the context and intensity of the project as described:

Context:

The project is a site-specific action directly involving approximately 12.5 acres of BLM administered land that by itself does not have international, national, regional, or state-wide importance.

Intensity:

The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into resources and issues considered (includes supplemental authorities Appendix 1 H-1790-1) and supplemental Instruction Memorandum, Acts, regulations and Executive Orders.

The following have been considered in evaluating intensity for this proposal:

1. Impacts that may be both beneficial and adverse. The proposed action would impact resources as described in the EA. Cultural, vegetation, soils, and visual resources may be impacted. Mitigating measures to reduce impacts to resource values were analyzed and applied as Terms and Conditions. None of the environmental effects discussed in detail in the EA and associated appendices are considered significant, nor do the effects exceed those described in the Bighorn Basin FEIS.

2. The degree to which the proposed action affects public health or safety. The proposed action was designed to mitigate for public health and safety. The plans were reviewed for conformance with applicable State & Federal safety laws, regulations, and policies. Mining operations will be conducted in accordance with MSHA regulations in order to protect both worker and public health & safety.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. The historic and cultural resources of the area have been inventoried and potential impacts mitigated through conditions of approval attached to the selected alternative. The following components of the Human Environment and Resource Issues are not affected because they are not present in the project area: park lands, prime farm lands, wetlands, Wilderness, Wild and Scenic Rivers, or ecologically critical areas.

4. The degree to which the effects on the quality of the human environment are likely to be controversial. There is no scientific controversy over the nature of the impacts.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. The project is not unique or unusual; many similar projects have been implemented by the BLM in the immediate area over the past 40 years. The environmental effects to the human environment are fully analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. The actions in the selected alternative were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted. A complete analysis of the direct, indirect, and cumulative effects of the selected alternative and all other alternatives is described in Chapter 3 of the EA.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the project is contained in Chapter 3 of the EA.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources. The project will not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historical resources. A class III cultural resource inventory (BLM cultural project # 010-2015-090) identified no historic properties within the direct area of potential effect. Surface disturbance resulting from the proposed action will have no effect on known historic properties. One historic property was identified within the project's indirect APE. Construction of the access road and gravel pit as described under the Proposed Action would add new elements within the viewshed of that property. However, due to topography, only a portion of the proposed pit and all of the proposed access road will be visible. The visual impacts would result in a weak contrast and a no adverse effect to the property. Unknown cultural resources may be affected by surface disturbing activities. For the protection of unknown cultural resources the standard cultural stipulations apply and are included in the conditions of approval. Consultation occurred with the State Historic Preservation Office (SHPO) under the Wyoming State Protocol Agreement between the BLM and the SHPO (State Protocol).

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973. There are no Threatened and Endangered Species known to occur in the project area. BLM Special Status Species may occur in the project area, but impacts to these species are not anticipated. Greater sage grouse, a BLM sensitive species, may utilize habitat in the area, however the project location is not within a sage grouse priority habitat management area or within 2 miles of a known lek.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. The project does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment.

Signed:

/s/Michael Phillips	November 16, 2015
Worland Field Office Manager	Date